



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

NGB-ARH

07 SEP 2006

MEMORANDUM FOR MILPOs

SUBJECT: Dropped from the Rolls (DFR), Absent Without Official Leave (AWOL), and Courts Martial Actions of Army National Guard Soldiers on Active Duty (NGB-ARH Policy Memo 06-047)

1. References:

- a. AR 630-10, Absence Without Leave, Desertion, and Administration of Personnel Involved in Civilian Court Proceedings, dated, 13 January 2006
- b. NGR 600-200, Enlisted Personnel Management, dated 1 March 1997
- c. AR 27-10, Military Justice
- d. Manual for Courts Martial United States
- e. NGR 614-1, National Guard Warrior Reserve, dated TBD

2. Purpose: To modify the process for the personnel management of Army National Guard (ARNG) Soldiers who receive Courts Martial, are reported as Absent Without Official Leave or are Dropped from the Rolls while serving in an active duty status under Title 10 United States Code Sections 12301(d), 12302, and 12304, as outlined in AR 630-10.

3. Effective the date of this memorandum, all ARNG Soldiers serving in the above listed categories, including Title 10 Active Guard/Reserve (AGR) personnel, which are DFR, AWOL, or receive Courts Martial, will be handled as follows:

a. Absent Without Official Leave and/or Dropped from the Rolls of the Army while in an Initial Entry Training (IET) Status:

(1) The guidance set forth in paragraphs 5-6 and 5-7 of AR 630-10 will continue with one modification. In lieu of published Format 440 order (Attachment Order), the Joint Forces commands will publish a modified Format 510 Discharge Order (see enclosure).

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(2) This order will only occur when the State receives the official notification from the Active Component training installation that an active duty ARNG Soldier is AWOL or DFR, and will be effective on the 30th day of AWOL status. The new modified separation order will assign the AWOL Soldier to his or her IET unit of assignment. These new procedures will streamline the ability of both the State and the Training Installation to process Soldiers who have been reported AWOL during their IET in a more timely manner.

(3) Upon the publication of the State separation order, the State will close and forward the Soldier's personnel records, by either certified mail or express mail, to the Unit Commander of the Basic Combat Training (BCT) or Advanced Individual Training (AIT) unit listed on the notification form the BCT/AIT Station.

b. AWOL or DFR for all other ARNG Soldiers serving on active duty:

(1) The following procedures will occur to properly track and manage ARNG Soldiers reported AWOL and DFR from active duty. In coordination with National Guard Bureau, Personnel Policy and Readiness Division (NGB-ARH), these changes must occur to ensure all ARNG personnel receive proper personnel management, processing and separation from military service. The guidance set forth in AR 630-10 will remain in conjunction with the exceptions outlined in this memorandum.

(2) Upon notification from NGB-ARH that an active duty ARNG Soldier is DFR, the State Military Personnel Office (MILPO) will transfer the Soldier to the National Guard Warrior Reserve (NGWR) (formally the Inactive National Guard), IAW NGR 614-1, paragraph 2-8g. The effective date of transfer to the NGWR will be the day following DFR action. The Soldier's loss transaction code in SIDPERS will reflect DE and the Active Status Program Code will change from S to G.

(3) Soldiers will remain assigned to the NGWR under this authority until they return to military control. Soldiers in this category are not subject to the annual muster requirements outlined in NGR 614-1. Under the authority of STOP LOSS Soldiers Expiration Term of Service (ETS) date must reflect 31 December 2031. NGB-ARH-RD is responsible to notify the State MILPO when the case undergoes proper adjudication and receives closure from United States Army Personnel Control Facility (USAPCF). Upon notification by NGB-ARH-RD, the State will discharge the Soldier from the ARNG and as a Reserve of the Army.

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c. Courts Martial of an ARNG Soldier serving on active duty:

(1) Once the Courts Martial is complete and a Summary of Courts Martial Sheet results, then one the following will take place:

(a) If the Soldier was not confined or separated from the service, even if they are beyond their Expired Term of Service (ETS) date (Enlisted Soldiers), they will be Released from Active Duty (REFRAD) and returned to their unit for final disposition by the Commander.

(b) If the Soldier is confined for four months or less, and not separated from the service, will also return to their parent unit for final separation disposition by the Commander upon completion of the confinement period.

(c) If the Soldier is confined for four months or more and does not receive a Bad Conduct Discharge, the State will place the Soldier in the NGWR (ING). The NGWR (ING) order will assign them to the Personnel Control Facility (PCF) either at Ft Knox or Fort Sill (Fort Knox east of the Mississippi and Fort Sill west of the Mississippi). The SIDPERS codes will follow paragraph 3, b, (2). The PCF is responsible for the Chapter 14 separation of the Soldier at the end of the Soldier's confinement.

(d) If the Soldier is confined for four months or more and receives a Bad Conduct Discharge, the State also places the Soldier in the NGWR (ING). The NGWR (ING) order will assign them to the PCF either at Ft Knox or Fort Sill. The SIDPERS codes will mirror those listed in paragraph 3, b, (2).

6. Soldiers incarcerated for four months or more must remain in the NGWR (ING) for the duration of their sentence until their bad conduct discharge occurs at the end of the sentence. These Soldiers must remain on orders for the duration of their sentence regardless of the length of the sentence. NGB-ARH will coordinate the publication of these orders. The Soldier does not receive pay unless a pre-trial agreement grants care for the family. Once the State has the Soldier's Bad Conduct or Chapter 14 discharge, they will separate the Soldier from the ARNG and as a Reserve of the Army.

7. Soldiers reduced because of Courts Martial action will also receive reduction in their State's personnel systems using the Summary of Courts Martial Sheet as justification for the change.

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8. In all instances listed above, Military Pay and Finance personnel must remain involved to ensure Soldiers do not receive pay beyond the required timeframe. In addition, the State will review all DD Forms 214s, for Soldiers returned to their control, to ensure the document reflects the appropriate amount of "LOST TIME".

9. These new procedures will greatly streamline the ability for both the State and the Active Duty commander to process Soldiers who have been dropped from the rolls or receive Courts Martial while on active duty.

10. This policy supersedes NGB-ARH Policy Memo 05-027, Absent without Leave (AWOL), Dropped From the Rolls (DFR) for IET Soldiers, dated 30 March 2005, NGB-ARH-S Policy Memo, Dropped From the Rolls for IADT Soldiers, dated 3 September 2004, and NGB-ARH Policy Memo, Absent Without Leave (AWOL) Dropped from the Rolls (DFR) for Deployed Soldiers, dated 27 May 2005

11. Point of contact is CW5 Rodger Shuttleworth, commercial (703) 607-8672, DSN 327.

Encl
as


TAMMY L. MIRCALE
Colonel, GS
Chief, Personnel Policy and
Readiness Division

**STATE OF GEORGIA
MILITARY DEPARTMENT
1401 Deshler Street SW
Fort McPherson, Georgia 30330-2000**

ORDERS 05-080-0001

21 March 2005

SMITH, John Doe 999-99-9999 PVT 1108th AVCRAD Fort McPherson, GA
30330-2000

You are discharged from the Army National Guard and assigned to component indicated on the day following the effective date.

Assignment: By direction of the Secretary of the Army, you are released from attachment and assigned to Co A, 46th AG Bn (W2LSC1), Fort Knox, Kentucky 40121

Effective date: 0001 hours, 12 January 2005, VOCO 12 January 2005

Type of Discharge: Uncharacterized

FOR ARMY/ARNG USE:

Authority: Paragraph 8-5a, NGR 600-200 (CW) and AR 630-10
Format: 510 (modified)

FOR THE ADJUTANT GENERAL:

* TAG-GA *
* OFFICIAL *

THOMAS L. JONES
COL, GS, GAARNG
Director of Military Personnel

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Ch, US Army Deserter Point, ATTN: ATZK-PMF-DIP (1)
HRC-St Louis, ATTN: HRCS-CIS-PP (1)
Cdr, U.S. Army Reserve Command, ATTN: AFRC-PRP-E (1)
PVT SMITH (3)